



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION
Wilbur E. "Bill" Cunningham, Chairman

SUMMARY

December 16, 2010



Thomas J. Stosur
Director

3. CITY COUNCIL BILL #10-0623/ CITY PROPERTY - NAMING THE PARCEL OF LAND KNOWN AS WARD 4, SECTION 11, BLOCK 890, LOTS 15B AND 15C TO BE PIERCE'S PARK

City Council Bill #10-0623 would authorize the City to name an aggregate parcel of open space land on Pier 5 Inner Harbor as Pierce's Park. Currently the parcel is improved with paving and landscaping associated with the public plaza area around the Christopher Columbus Center. The Park is intended to provide recreational and passive open space for the public in general and more specifically families with young children visiting and living near the Inner Harbor area. This specific site is strategically located along the waterfront promenade and adjacent to several harbor attractions – namely the Aquarium, Pier 5 Hotel, the Power Plant and the Columbus Center. It will provide needed open space that is designed with young children in mind as a respite within the popular Inner Harbor area. The specific design for this new park space is currently going through the review process with Planning's Urban Design and Architectural Review Panel. It is also being reviewed to ensure that it meets all Critical Area requirements.

Mr. Pierce J. Flanigan, III, was born and raised in Baltimore such as reported *the Baltimore Sun*, as a young man he joined his family's business, P.Flannigan & Sons, which had been founded by his great-grandfather, in 1885. In addition to working on economic development projects that benefited Baltimore City and the surrounding metropolitan region, he also contributed his time and energy to civic betterment projects. After Pierce Flannigan's death, several Waterfront Partnership board members suggested that it would be a fitting tribute to name the park after this man who contributed so much to the City of Baltimore. The Department of Planning concurs with suggestion and support this park naming.

BDC, Downtown Partnership of Baltimore, Waterfront Partnership and adjacent businesses were notified of this action.

Recommendation: Approval

4. CITY COUNCIL BILL #10-0593/BUILDING, FIRE, AND RELATED CODES – 2010 EDITION

This is a required periodic adoption of the latest edition of the International Building Code (IBC), in this case the 2009 Edition, and related codes. These updates are scheduled on a three-year cycle. The last general adoption of the 2006 Code was enacted via Ordinance #07-552, dated November 26, 2007. The City's amendments listed in the bill are substantially similar to what had been previously adopted. However, Planning

has identified a need for a reference to temporary greenhouses, commonly known as “hoophouses” or “polyhouses,” which are utility structures are non-inhabited plastic film greenhouses that can be constructed without the need for permanent foundations.

Recently, applicants interested in local agriculture ventures have approached the City to inquire about the process for approval. It was then discovered that this type of structure was not referenced or recognized in the current or proposed version of the City’s Building, Fire, and Related Codes. This created an administrative problem in that the code and permit review staff was unsure how to treat these facilities. In the end, it was determined that they should just be exempted from permit requirements, since they are simple, non-inhabited, utility structures that can vary widely in their composition and construction. The proposed exemption is made by adopting §105.2.10 of the IBC (2009 edition), with clarifying text. We also add a general requirement to ensure the covering is a flame-retardant material, compliant with the requirements of the National Fire Protection Association’s NFPA 701 standards. If any other form of trade work, such as a commercial electric service, a plumbing line, hosebib, or the like is required, they would require work permits for those items, as per normal application processes.

The Planning Commission initially considered this bill on December 2, 2010, but decided to defer action, pending staff providing additional information regarding the NFPA 701 requirement (cf. Method 2 test). Staff has obtained a copy of the NFPA 701 document, which outlines standardized test methods for conducting fire tests for flame propagation of textiles and films, and sets a pass/fail limit of performance. Staff coordinated review of this document with the Department of Housing and Community Development (DHCD), and was provided this standard by the Permits & Code Enforcement section’s Fire Department representative.

Notification of this action was sent to 214 community organizations.

Recommendation: Amendment and Approval, with one amendment as follows:

- That Section 105.2.10 of the International Building Code (2009 edition) be adopted, and should be inserted into the bill at page 13, line 3, with a clarifying amendment, and should read as follows:
 - 10. ~~{Not Adopted}~~ Shade cloth OR PLASTIC FILM structures COMMONLY KNOWN AS “HOOPHOUSES,” constructed for nursery or agricultural purposes, not including service systems. THE COVERING OF THE STRUCTURE MUST BE A MATERIAL THAT CONFORMS TO NATIONAL FIRE PROTECTION ASSOCIATION’S NFPA 701 STANDARDS.

5. MINOR AMENDMENT/ 25TH STREET STATION PUD

FINAL DESIGN APPROVAL/ 25TH STREET STATION PUD

The 25th Street Station project is to be developed and owned by WV Urban Developments, LLC. It is a mixed use, residential and commercial development project with a variety of potential commercial uses. The development plan allocates space for modified large box retailers, mid-sized retailers, and smaller, neighborhood commercial

spaces. Parking structures consolidate the required parking fields near and within buildings. The development is planned to be constructed in one phase.

There have been a few minor changes to building arrangements within one of the parcels along with minor changes to the parking numbers and square footages. Because the subject property is within a PUD, the Planning Commission must first approve the minor amendment and then the final design for the new buildings. The applicant has submitted to the Planning Commission for consideration the updated development plan, landscape plan, and building elevation drawings for the project. These plans make up the formal submittal to the Planning Commission for consideration of the Minor Amendment and Final Design Approval. The development received SPRC and Forest Conservation approval on October 12, 2010 and UDARP approval on October 28, 2010.

The following groups were notified of these actions: Charles Village Civic Association, Charles Village Community Benefits District, Greater Homewood Corporation, Inc, Peabody Heights Resident Homeowners Alliance, Inc., Old Goucher Business Alliance, Remington Neighborhood Alliance, Station North Arts & Entertainment District, Old Goucher Community Association, Inc., Greater Remington Neighborhood Association, Historic Greater Fawcett Community Association, Medfield Community Association, Hampden Community Council, Central Baltimore Partnership, and relevant City agencies.

Recommendations:

Minor Amendment/ 25th Street Station PUD: Approval.

Final Design Approval/ 25TH Street Station PUD: Approval.

6. CITY COUNCIL BILL #10-0486/ FELLS POINT HISTORIC DISTRICT

Fells Point was established as a Baltimore City local historic district by Ordinance #07-555, approved November 26, 2007. The designation of the historic district was concurrent with the abolishment of the former Fells Point Urban Renewal Plan that had governed the area for decades. This bill proposes to remove fifteen townhouse properties that are a portion of the development known as Washington Square and a square block parcel of land located to the east of Washington Square, known as 2030 Aliceanna Street. The townhouses were built as one development ca. 1988 and 2030 Aliceanna Street is improved with a non-contributing industrial structure and a surface parking lot. The Homeowners Association is asking to be removed from the historic district because they are not historic buildings and they do not want to continue to adhere to CHAP standards relative to exterior repairs and replacements.

Planning staff has reviewed the request and is not supportive of City Council Bill #10-0486. It finds that removal of the parcels in the bill will fracture the boundaries of the historic district and leave these properties with no controls other than zoning. This would be a bad precedent for Fells Point and other historic districts. CHAP staff has offered a compromise to allow more flexibility with recent and new construction and that has been turned down by the residents as well. Furthermore, it finds that the lots listed in the bill are not consistent with the complete Washington Square townhouse community and as

written will leave 11 of the townhouses in the historic district. This bill is to be considered by CHAP at their December 14, 2010 hearing.

The following community organizations were notified of this meeting: Fells Point Task Force, Douglass Place Community Association, Perkins Homes Resident Advisory Council, Fells Point Community Organization, Fells Point Residents Association, Fells Point Main Street, The Preservation Society, Waterfront Coalition, Fells Prospect, Inc., Upper Fells Point Improvement Association. Additionally, all of the owners of Washington Square townhouses, as well as the owner of 2030 Aliceanna Street were notified of this action.

Recommendation: Disapproval

CONSENT AGENDA

7. REVISED FINAL SUBDIVISION & DEVELOPMENT PLAN/1301 COVINGTON STREET – FEDERAL PLACE

On February 5, 2005, the Planning Commission approved the Final Subdivision and Development Plan for 1301 Covington Street to subdivide the property into 50 lots for 49 in-fee lots for new town home and one HOA lot for a 40' right-of-way for a private street.

On August 6, 2009, the Planning Commission approved Multiple Structures on A Single Lot for 1301 Covington Street in order to convert the un-built town home units (23) into condominium units. The applicant proposes to consolidate Lot 65 to Lot 100 and the HOA Lot into two lots for the development of two condominium buildings and the reconfiguration of the HOA Lot. The change is consistent with the Planning Commission's initial approval of this action.

Recommendation: Approval

8. CIP TRANSFERS

Recommendation: Approval